

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

Call The Meeting to Order

Chairman David Plunkett called the meeting to order at 7:05 P.M. in the Town Hall Auditorium. Present at the meeting were, Stephen Johnson, Robert Fowler, Nancy Reed, Vincent Fratalia, Director of Community Development Steve Sadwick and Recording Secretary Dawn Cathcart.

(A) Approval of Minutes – August 11, 2014, August 25, 2014 and September 8, 2014

MOTION - Mr. Fratalia made a motion to approve the Planning Board minutes of August 11, 2014 as submitted. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

MOTION - Mr. Fratalia made a motion to approve the Planning Board minutes of August 25, 2014 as submitted. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

MOTION - Mr. Fratalia made a motion to approve the Planning Board minutes of September 8, 2014 as submitted. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

(B) Committee Reports/Administrative Actions

(B1) Zoning Bylaw Subcommittee

Mr. Sadwick stated that the next subcommittee meeting could be scheduled for next Monday or Tuesday. Mr. Plunkett stated that it should be Monday, September 29, 2014 at 7:00 PM at the DPW.

(B2) Master Plan

Mr. Sadwick stated that Judi Barrett will be speaking under Agenda Item C.

(B3) Committee Reports

There were no committee reports.

(B4) Wells Drive – Bond Release, As-Built and Street Acceptance

Dick Cuoco appeared to discuss the bond release, as-built and street acceptance for Wells Drive. Mr. Sadwick stated that there is a list of questions/comments from the DPW. Some of the items can be easily answered and removed but some are maintenance issues. The Board of Selectmen are meeting tomorrow and there is a timing issue where the Selectmen have to file the street acceptance seven days prior to the Special Town Meeting. Mr. Cuoco stated that the contractor has already started on the maintenance issues and some of the questions will be answered by waivers that were granted. The developer is only looking for the street acceptance. If the Board of Selectmen file the petition for the layout and they don't meet the requirements of the DPW, then the article can be withdrawn.

Mr. Plunkett asked when our next meeting is. Mr. Sadwick replied a day before the Special Town Meeting. Mr. Sadwick stated that the Board can recommend a conditional approval as long as the Town Engineer agrees and they are still holding the bond. Mr. Cuoco stated that are not asking for the bond release until the street is accepted.

Mr. Fratalia asked if the landscape island was waived. Mr. Cuoco replied yes, at the request of the DPW. This project was approved prior to any of the current DPW staff.

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

Mr. Sadwick stated that the layout is referred to the Planning Board for its recommendation.

MOTION - Mr. Fratalia made a motion to continue the Wells Drive street acceptance until October 6, 2014 at 7:00 PM. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

(C) Master Plan Consultant – Judi Barrett

Judi Barrett appeared to discuss the upcoming meeting for the Master Plan revision. Ms. Barrett stated that there will be a visioning session held on October 15th at the Senior Center. They will divide the two hours into three pieces. The first portion will be the overview portion, which will focus on changes since the last Master Plan. Then they break into different groups such as land use, housing, etc. This section will take between thirty minutes to an hour. Then they will get back together into one group and talk about suggestions. Once the visioning session is over, they will come back before the Planning Board to discuss the results. Ms. Barrett stated that she will have a resource team of about three members to help at the visioning session. Ms. Barrett stated that there is also money in the budget to conduct interviews. She would require Mr. Sadwick's help in scheduling phone interviews and small group interviews.

Mr. Plunkett asked how the meeting format will be set up. Ms. Barrett stated that there will be big sheets of paper with Master Plan goals and recommendations. The sheets will show if the goal was accomplished or not.

Mr. Johnson suggested having this information on "cheat sheets" that are given out ahead of time so people can prepare. Ms. Barrett stated that is a great idea and perhaps getting it posted on the website will help.

Mr. Fratalia asked how many people are expected at the visioning session. Ms. Barrett stated that she hopes to have at least forty people but added that personnel outreach from Board members is encouraged. Mr. Sadwick stated that sixty plus invitations were sent out and they have requested an RSVP so we can get a better count. Mr. Sadwick stated that he will issue a press release also, he was just waiting for the format to be finalized and he will get it out on social media.

Mrs. Reed thanked Ms. Barrett for coming and asked if the Planning Board would be interviewed. Ms. Barrett replied that since she will be working so closely with the Planning board she didn't see the need. Mrs. Reed stated that the Board should be part of the discussion. Mrs. Reed stated that she thinks that the part of the visioning session that discusses previous goals will take up a lot of time.

Mr. Johnson stated that he doesn't believe that this Board should be part of the paid interview time. They have to come in and talk with us, so he doesn't believe the budget should be wasted on us. Mrs. Reed stated that she wants to make sure they are part of the process discussion.

Mr. Plunkett stated that the Economic Development Process Review Committee, Tewksbury Beautification Committee and the Zoning Board of Appeals should also be invited.

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

(D) 558 Clark Road, Evoqua Water Technologies Use Special Permit

MOTION - Mr. Fowler made a motion to waive the reading of the public hearing notice. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

Ray Gendron and Peter Cullinan appeared for the Use Special Permit at 558 Clark Road. Mr. Cullinan stated that Evoqua Water Technologies has multiple locations in Lowell and Londonderry, NH and they are looking to consolidate into 558 Clark Road. The use will be manufacturing and we would also have assembly.

Mr. Gendron stated that Evoqua was part of Siemens but was sold to AEA Investments in October 2013. The Lowell office is mostly R &D and the manufacturing will be moving to Tewksbury first. They have waste water permits with Lowell that they will adapt to Tewksbury as well.

Mr. Sadwick stated that during the IDR, it was noted that this was a straight up Use Special Permit so there were no other site concerns. Mr. Gendron stated that staff members did visit our Lowell facility and they had no issues.

Mrs. Reed stated that this seems like a good fit for this site. Mrs. Reed asked how this was posted in the legal notice. Mr. Sadwick stated that it was posted as a Use Special Permit for D7, which is manufacturing.

Mr. Plunkett asked if they would be occupying the entire facility. Mr. Gendron stated that there is 18,000 SF that they will not be occupying but they have the potential of first option if additional space is needed.

Mr. Fratalia asked if they received the letter from the Health Director regarding the dumpster. Mr. Cullinan replied that they just received it today but he believes that the dumpster will conform but they will verify. Mr. Fratalia believes this will be a great fit for the facility.

Mr. Fowler asked if this is the same location that we just had a public hearing for a yogurt distribution center. Mr. Sadwick replied yes, they came in for a non-substantial change but the negotiations fell through. Mr. Fowler asked if truck trips could be an issue. Mr. Gendron stated that there will only be truck traffic on the first shift and they use common carriers like UPS and FedEx. This is not a distribution center. Mr. Gendron stated that they bring in raw material. Mr. Plunkett asked if there could be a limitation of hours so not to coincide with peak hours at the day care. Mr. Gendron stated that UPS and FedEx operate during normal working hours. Mr. Plunkett asked if trucks under the control of the company could be limited. Mr. Gendron replied that we have one straight truck that we can control the hours to the site. Mr. Plunkett stated that the day care peak hours would be from 8:00 – 9:00 AM and 3:00 – 4:00 PM. The original Special Permit specific hours the truck traffic could access the site, but you should use your best efforts to avoid peak drop off hours at the daycare.

Mr. Plunkett asked if there is standard overtime. Mr. Gendron replied no, only if the work does not finish. Mr. Plunkett asked if hours of operation should be a condition. Mr. Johnson and Mr. Fowler replied that would not be necessary.

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

Donna Mendoca of 568 Clark Road – Ms. Mendoca stated that when Budweiser was here, there was an infestation of fruit flies in the neighborhood because they left empty bottles in a truck outside. Mr. Gendron replied that the garbage will go into the dumpsters that are in a locked area with the recycling effort. This business is inert and there is no food or sugars that would attract fruit flies so that will not be a problem.

MOTION - Mr. Johnson made a motion to close the public hearing. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

MOTION - Mrs. Reed made a motion to approve the Use Special Permit with the following conditions:

1. The use is D7 in the Tewksbury Zoning Bylaw, Manufacturing with offices
2. There will be a maximum of 5-10 truck trips per day to the site.
3. Any future tenant, other than Evoqua Water Technologies would have to come back to the Planning Board for a separate Use Special Permit.
4. The applicant will control the deliveries to the site from their own truck so not to coincide with peak drop off and pick up hours of the neighboring day care.

The motion was seconded by Mr. Johnson and unanimously voted 5-0.

(E) 357 Old Boston Road (Power Co. Road), National Grid USA Service Co – Site Plan Special Permit

MOTION - Mr. Johnson made a motion to waive the reading of the public hearing notice. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

Patrick Schmitt and Peter Reynolds appeared for the Site Plan Special Permit for National Grid at 357 Old Boston Road. Mr. Reynolds stated that they are proposing a 42' wide x 69' long x 18'10" high covered structure with no walls. This will be used for parking of six trucks that are currently on site now. This will help with snow and ice problems.

Mr. Plunkett asked if there was an IDR. Mr. Sadwick replied yes, the Town Engineer provided a letter.

Mr. Fowler stated that there is asphalt there now. Mr. Reynolds replied yes, there will be no additional impervious surface.

Mr. Johnson stated that if there is asphalt there now then he is ok with the proposal.

Mrs. Reed stated that this may not apply to this project but the strip of land along Main Street that use to have a lot of vegetation but now it is bare and there is trash. Mr. Reynolds stated that National Grid is going to be coming in for installation of a new substation so that should be a discussion with that project.

Mr. Fratalia asked if there have been any problems with trucks backing into this type of structure and asked if bollards should be installed. Mr. Reynolds replied no.

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

Mr. Plunkett stated that a waiver is being asked for the buffer but if there is any adjoining parcel that comes in to be developed they may ask for additional items in the buffer for screening.

Mr. Reynold stated that they will be asking for waivers from Section 5100, 5400 and 9432.

There were no questions from the audience.

MOTION - Mr. Fowler made a motion to close the public hearing. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to approve the waivers as requested from Section 5100, Parking and Loading Requirements; Section 5400 Landscaping, screening and Buffer requirements, and 9432 Landscape Plan. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to approve the Site Plan Special Permit as submitted subject to the incorporation of the waivers but noting that if an adjoining parcel is developed, the applicant may be required to add screening in the buffer. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

(F) 108 Catamount Road, Marc P. Ginsburg & Sons Special Permit and Definitive Subdivision

MOTION - Mr. Johnson made a motion to waive the reading of the public hearing notice. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

James Hanley and Marc Ginsburg appeared for the Special Permit and Definitive Subdivision at 108 Catamount Road. Mr. Hanley stated that this parcel is Map 65, Lot 29 and was the site of the old Castle. This is zoned R40 and consists of 3.6 acres with 150' of frontage. There are no wetlands on site. They are proposing a three lot residential subdivision with single family homes. All lots will meet frontage, acreage and perimeter requirements and will have a shared driveway. The driveway will be 185' off Catamount Road and there will be a "T" to service Lots 2 & 3. The roadway will be 20' and the right of way will be 40'. The "T" can handle emergency vehicle turnarounds. There will be three gates for water and Town sewer is available. There will be two sewer manholes and an 8" sewer line installed. The maximum slope of the right of way is 8%. Mr. Hanley stated that there was an IDR review done and the comments have been addressed to the Town Engineer and Consulting Engineer. They met with the Town Engineer today.

Mr. Hanley stated that they are requesting a number of waivers. They are as follows:

- Waiver #1 from Section 8.1.7 – Eliminate the required 25' side line radius at the intersection of the southern portion of the proposed ROW with Catamount Road.
- Waiver #2 from Section 8.1.9 – Allow for reduction to the minimum centerline radius from 150' to 50'.
- Waiver #3 from Section 8.1.10 – Reduction of paved surface from 24' to 20', reduction of minimum tangent between reverse curves from 100' to 42', reduction to the rate of curvature for a sag vertical curve from 30 to 10 and increase to the allowable grade 50' of the intersection from 2% to 6.4% (instantaneous grade along vertical curve).

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

- Waiver #4 from Section 8.1.15 – Allows for a “T” type turnaround in lieu of a cul-de-sac.
- Waiver #5 from the Street Cross Section to allow for: elimination of required curbing (Section 9.4), elimination of the required sidewalks and grass strips (Section 9.5), elimination of the required street lights (Section 9.6) and elimination of the required street trees (Section 9.7).
- Waiver #6 to allow for relief from the monument required at the center of the proposed cul-de-sac.
- Waiver #7 requests relief from Chapter 19 of the General Bylaw Storm Water Management and Erosion Control.
- Waiver #8 requests that a fee in lieu of option be considered for donation to the sidewalk fund. The length of sidewalk will be made in a donation to the sidewalk fund. The fee to determine the donation will be the RS Means book.

Mr. Sadwick stated that there was a meeting held this afternoon. The pavement configuration was changed. The Deputy Fire Chief sent an email stating that he was all set with the new design. They also discussed the Erosion Controls waiver and that a NPDES is required. Mr. Ginsburg stated that a Storm Water Management Plan (SWMP) is in place. The Board could issue a conditional approval subject to the final approval from the Consulting Engineer on the SWMP.

Mr. Hanley added that if the Board requires it, they could add no parking signs along the road.

Mr. Johnson stated that he does not believe that no parking signs are warranted and he is fine with all the waivers requested.

Mrs. Reed asked what the benefit of this design is. Mr. Ginsburg replied that a typical cul-de-sac design would require a 3'-4' wider road which leads to more impervious surface. Mr. Hanley stated that with this design, there is less impervious surface than when the Castle was there. If this was done with a conventional subdivision, there would be a 50% increase of impervious surface.

Mr. Fowler thanked the engineers from both sides for working together. Mr. Fowler stated that he has no problem with any of the waivers requested and from experience, fire trucks usually go across the road centerline when pulling out. He would request that the line of sight remain clear on both sides.

Mr. Fratalia asked if this will remain a private way with a home owners' association. Mr. Ginsburg replied yes. Mr. Fratalia stated that he is fine with the waivers.

Mr. Plunkett stated that Lots 2 and 3 will have a shared driveway. Mr. Plunkett stated that at the retention pond there is an 8' drop off at the outlet. Mr. Hanley replied that it is a 2 to 1 slope on the high side. There will be a 5' wide bench with plantings added.

An unidentified woman asked which way will the drainage flow. Mr. Ginsburg replied towards Catamount Road.

Mr. Fratalia stated that on the plan, the lot numbers are flipped. Mr. Hanley replied that those were fixed already. Mr. Plunkett stated that the maintenance easement needs to be recorded.

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

MOTION - Mr. Fratalia made a motion to close the public hearing notice. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to approve waivers as listed below:

1. Waiver #1 from Section 8.1.7 – Eliminate the required 25' side line radius at the intersection of the southern portion of the proposed ROW with Catamount Road.
2. Waiver #2 from Section 8.1.9 – Allow for reduction to the minimum centerline radius from 150' to 50'.
3. Waiver #3 from Section 8.1.10 – Reduction of paved surface from 24' to 20', reduction of minimum tangent between reverse curves from 100' to 42', reduction to the rate of curvature for a sag vertical curve from 30 to 10 and increase to the allowable grade 50' of the intersection from 2% to 6.4% (instantaneous grade along vertical curve).
4. Waiver #4 from Section 8.1.15 – Allows for a "T" type turnaround in lieu of a cul-de-sac.
5. Waiver #5 from the Street Cross Section to allow for: elimination of required curbing (Section 9.4), elimination of the required sidewalks and grass strips (Section 9.5), elimination of the required street lights (Section 9.6) and elimination of the required street trees (Section 9.7).
6. Waiver #6 to allow for relief from the monument required at the center of the proposed cul-de-sac.
7. Waiver #7 requests relief from Chapter 19 of the General Bylaw Storm Water Management and Erosion Control.
8. Waiver #8 requests that a fee in lieu of option be considered for donation to the sidewalk fund. The length of sidewalk will be made in a donation to the sidewalk fund. The fee to determine the donation will be the RS Means book.

The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to approve the Definitive Subdivision for 108 Catamount Road as presented with inclusion of the approved waivers and subject to the following conditions:

1. The final approval of the Town and Consulting Engineers for drainage and SWMP.
2. The required maintenance easement must be recorded at the Northern Middlesex Registry of Deeds.
3. The road is to remain private and maintenance will be the responsibility of a Homeowners Association.

The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to approve the Special Permit for 108 Catamount Road as presented with inclusion of the approved waivers and subject to the following conditions:

1. The final approval of the Town and Consulting Engineers for drainage and SWMP.

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

2. The required maintenance easement must be recorded at the Northern Middlesex Registry of Deeds.
3. The road is to remain private and maintenance will be the responsibility of a Homeowners Association.

The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

(G) 416 and 434 Main Street, Donald MacLaren for Caswell Realty Trust and Seto Family Trust – Site Plan Special Permit and Use Special Permit

MOTION - Mr. Fowler made a motion to waive the reading of the public hearing notice. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

Dick Cuoco, Jeff Rider, Don MacLaren Sr., Don MacLaren Jr, Lorraine Black and Kim Hazarvartian appeared for the Site Plan Special Permit and Use Special Permit for 416 and 434 Main Street.

Mr. Cuoco stated that this site will incorporate 46,747 SF. There will be indoor commercial recreation with a 36 lane bowling alley, 140 seat restaurant, arcade, golf simulators, and two outside Bocce courts. The building must be set back due to the Tennessee Gas main that goes through the property. The building will be serviced by Town sewer and water and the existing sewer line will have to be relocated. They will core into the existing manhole and tie in the new sewer line which will be safer environmentally. They will be utilizing porous pavement and reducing the impervious surface by 1.36 acres. They will also be handling the storm water from the Tewksbury Florist by having a designed pipe drainage system.

Mr. Cuoco stated that 227 parking spaces are required and they have 236 on the plan. The breakdown is about 4.3 parking spaces per lane. They looked at the industry standard, a practical approach and the bylaw and 236 spaces are sufficient.

Mr. Cuoco stated that as previously discussed, the hours of operation will be from 9:00 AM to 10:00 PM Sunday through Wednesday and 9:00 AM to 1:00 AM Thursday through Saturday. The deliveries to the site will mostly occur from 9:30 AM to 11:00 AM so not as to interfere with peak times.

Mr. Cuoco stated that they are asking for several waivers including:

- Waiver #1 from Chapter 19 of the General Bylaw for Storm Water Management and Erosion Control because this project is covered by the Planning Board and Conservation Commission.
- Waiver #2 from Section 5124 – Reserved parking.
- Waiver #3 from Section 5180 – Loading areas
- Waiver #4 from Section 5428 – Continuous curbing
- Waiver #5 from Section 5431 – Entrance or exit center lines shall not fall within 50' of an intersection of street.

Mr. Cuoco added that Mass DOT has started constructing the sidewalks along Main Street.

MOTION - Mr. Fowler made a motion to approve Waiver #1, Chapter 19 of the General Bylaw for an exemption from the requirements of the Storm Water Management and Erosion Control

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

Bylaw (Earth Disturbance Permit) in accordance with Section 19.043 because this project is covered by both the Planning Board and Conservation Commission.

Ms. Black stated that as was mentioned, the building is at the back of the site so the majority of the landscaping will be in front. Ms. Black handed out 3 sheets that depict the types of planting proposed. The majority of the landscaping will be along Main Street and in the center landscape island. There will be three flowering pear trees with rose bushes. They will incorporate drought resistant ground cover such as junipers and honey locust and there will be hydrangeas on the west side near the Bocce courts.

Mr. Fratalia asked if there will be artificial turf in the front. Ms. Black replied yes.

Mr. Plunkett asked if the two 5' pathways would be sufficient to handle the pedestrian traffic. Ms. Black stated that they will have heavy plantings of rose bushes to prevent people from walking through the landscape area and added that the 5' pathways should be sufficient.

Ms. Black stated that they originally proposed an oak at the corner of the property but that would block the sign on the abutting property so that was pulled back and low lying shrubs were added. Mr. Plunkett asked if the turf would go against the new sidewalks. Ms. Black replied yes.

Mr. Cuoco stated that the applicants are working diligently to eliminate the utilities poles along Main Street and have underground services.

Kim Hazarvartian appeared to discuss the traffic assessment memo. Mr. Hazarvartian stated that the site distance is adequate. There will be a reduction of site driveways from three to two. Trip generation was performed using three different methods. The first was the use of a 36 lane bowling alley with restaurant; the second was the square footage of the building and the third method was an average of the first two. The AM peak hour will not be effected but there will be an increase in the PM peak hour traffic. Using the primary use table and the ITE rates, there will be an increase of 30 trips, 25 in and 5 out during the peak PM hour. Mr. Hazarvartian stated that they met last Friday and additional work will be done including actual counts at the Brunswick Bowling Alley in Lowell. They will be doing counts on Saturday from 11:00 AM to 1:00 PM and this will include parking counts as well as counts on Thursday from 4:00 to 6:00 PM and from 6:00 to 8:00 PM for the parking.

Mr. Fowler stated that the traffic memo is easy to understand. Mr. Fowler stated that on the left side of the driveway there are five spaces that seem to be in the way and asked if they are needed. Mr. Cuoco stated that those will be designated as employee parking.

Mr. Johnson stated that there is a reference to porous pavement and 1,000 trips. Mr. Cuoco stated that they have discussed the use of porous pavement with high traffic volumes and DEP is not keeping up with the technology. Mr. Johnson stated that when the actual traffic numbers come in, take the worst case and get as much information as possible on porous pavement.

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

Mr. Fratalia asked what type of light the crossing light will be. Mr. Cuoco replied that it will be an active light with a push button on both sides. Mr. Fratalia stated that the line of sight is adequate. Mr. Cuoco replied yes.

Mrs. Reed asked if the traffic has been reviewed by our peer consultant. Mr. Sadwick replied yes, and there was an agreement that a study is required. Mr. McLaren stated that Brunswick is a larger bowling alley than what we are proposing. They have 44 lanes and we'll only have 36. The leagues will only be four nights a week and not on Friday or Saturday. The busiest days will have 400 cars in and out.

Mr. Plunkett stated that we had asked about a left hand turn lane heading towards Wilmington. Mr. Hazarvartian stated that he did not look at this because in reality the roadway is set. This is a big roof area for the building but the trip numbers are not as high.

Mr. Cuoco stated that we have provided a response to the CGC memo dated September 19, 2014. Mr. Cuoco stated that they have added a note that if there is excessive snow, it will be taken off site.

Mr. Plunkett asked if the rendering is the same as presented in the preliminary meeting. Mr. Cuoco replied yes, it is just flipped. Mr. Plunkett asked if the lighting on the right side of the property will be meet the bylaw. Mr. Cuoco replied yes, the baffle for the lights will be straight down and they can add a shield if it is required. Mr. Plunkett asked that the pedestrian access through the site be clearly marked with paint.

Mr. Sadwick stated that the sketch for drainage is still be evaluated and the Conservation Commission is still reviewing this proposal also. Mr. Plunkett stated that this should be continued until the October 6th meeting. Mr. Cuoco asked if the Board could meet prior to that.

MOTION - Mr. Fowler made a motion to continue the Site Plan Special Permit and Use Special Permit for 416 and 434 Main Street until September 29, 2014 at 7:00 PM. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

(H) Zoning Amendment Public Hearing for October 7, 2014 Special Town Meeting

MOTION - Mr. Johnson made a motion to waive the reading of the public notice. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

Livingston Street

Mr. Plunkett stated that the Planning Board can vote that this proposal is different from the previous one presented at the May Town Meeting and allow a repetitive filing.

MOTION - Mr. Johnson made a motion to allow for a repetitive filing due to the fact that this is a different proposal for the same parcels. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

Attorney Richard O'Neill, Arnie Martel and Dick Cuoco appeared for the public hearing discussion of the Livingston Street parcels. Attorney O'Neill stated that this is a substantial change from the previous proposal. This article is requesting that the Community Village Overlay District be added to four parcels owned by Mr. Martel. The underlying zoning is to remain the same. The proposal last year was to change the zoning from R40 to HI and that failed at Town Meeting. This proposal will limit the development to the MFD use. The preliminary design is for sixty units in two larger buildings and four townhouse units in the back. These units will run between 800 – 1000 SF and have one or two bedrooms.

Mr. Cuoco stated that Mr. Martel listened to what Town Meeting wanted and they wanted residential and this proposal will not overpower the site.

Attorney O'Neill stated that they will be presenting this proposal to the Selectmen tomorrow.

Mrs. Reed stated that regardless of what is developed it will be a show piece like Mr. Martel's other project.

Mr. Fratalia agreed and likes the proposal and Mr. Martel has a great reputation.

Mr. Fowler asked if there should be a Planning Board representative at the Selectmen meeting. Attorney O'Neill replied that this project stands on its own but if any Board member would like to come, we would welcome that.

Mr. Johnson stated that he is still baffled by what happened last year but these seems like an excellent project.

Mr. Plunkett asked if there is an affordable housing aspect in the CVOD. Mr. Sadwick replied yes.

No one in the audience came forward.

MOTION - Mr. Johnson made a motion to close the public hearing for this article. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

MOTION - Mr. Fowler made a motion to recommend adoption of this article. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

Flood Plain Map

Mr. Sadwick stated that this article is to insert the reference to two maps that were left out of the original article.

No one in the audience came forward.

MOTION - Mr. Fowler made a motion to close the public hearing for this article. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

MOTION - Mr. Johnson made a motion to recommend adoption of the flood plain article. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

PLANNING BOARD MINUTES
SEPTEMBER 22, 2014

(I) 25 Highland Drive (aka 464-468 Woburn Street) DiStefano Realty Trust Discussion

Mr. Sadwick provided copies of the letter sent by the Building Commissioner to Town Counsel dated September 5, 2014, the violation dated June 11, 2014 and a response letter from Town Counsel dated September 17, 2014.

Mr. Fratalia asked why there is a date on the violation. Mr. Sadwick stated that the violation states immediately and according to MGL, they have the right to appeal within thirty days.

Mr. Plunkett stated that we should start the revocation process as a parallel action.

MOTION - Mr. Johnson made a motion to start the revocation process for SP 2005-13, 25 Highland Ave (aka 464-568 Woburn Street). The motion was seconded by Mr. Fowler and unanimously voted 5-0.

(J) Wamesit Indian Park RFP

Mr. Sadwick provided a draft Request for Bids for the Wamesit Indian Park Upgrade. In Appendix A, he did not have Mass DOT schedule for the Rt. 38 improvements. Once he gets that, he will adjust the dates.

Old Business

There was no old business.

New Business

Mr. Fowler stated that there is a proposal before the ZBA for a detached metal garage in the TCOD and asked if this is what we are looking for in the design standards. Mr. Sadwick stated that if the Board doesn't like it, they can send a letter.

MOTION - Mr. Fowler made a motion to send a letter to the ZBA that the Board is not in favor of the metal building in the TCOD. The motion was seconded by Mr. Johnson and unanimously voted 5-0.

Director's Report

There is no Director's Report.

Adjournment

MOTION - Mr. Fratalia made a motion to adjourn the meeting at 10:35 PM. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

Approved on: 10/20/14

PLANNING BOARD MINUTES

SEPTEMBER 22, 2014

List of documents for 9/22/14 Agenda

Documents can be located at the Community Development Office

- D. 7:20** 558 Clark Road, Evoqua Water Technologies
Use Special Permit
- Application packet dated 8/22/14.
- E. 7:30** 357 Old Boston Road (Power Co. Road), National Grid USA
Service Co. - Site Plan Special Permit
- Application packet dated 8/22/14.
 - Review letter 9/5/14 from Mike Carter, GCG Associates.
- F. 7:40** 108 Catamount Road, Marc P. Ginsburg & Sons
Special Permit and Definitive Subdivision
- Application packet dated 8/19/14.
 - IDR held 9/9/14
 - Comments 8/26/14 fr Fire Department.
 - Review 9/15/14 fr Mike Carter, GCG Associates.
 - Review 9/16/14 fr Town Engineer.
 - Ltr 9/18/14 fr Civil Design re: Revision #1 to Drainage Memo dated 8/21/14.
 - Ltr 9/18/14 fr Civil Design re: Response to DPW review.
 - Definitive Subdivision Plan dated 8/21/14, issued for approval: September 18, 2014.
- G. 7:50** 416 and 434 Main Street, Donald MacLaren for Caswell Realty Tr
and Seto Family Tr – Site Plan Special Permit and Use Special
Permit
- Application packet dated 7/16/14.
 - IDR held 9/9/14
 - Comments 8/25/14 fr Fire Department.
 - Comments 9/5/14 fr Building Commissioner.
 - Review 9/15/14 fr Mike Carter, GCG Associates.
 - Ltr 9/19/14 fr Cuoco & Cormier re: GCG Review comments.
 - Ltr 9/19/14 fr Cuoco & Cormier re: revised waiver requests.
 - Emails received from David Wood, Tennessee Gas Pipeline to Cuoco & Cormier re: concerns for 416 Main St project, 9/11/14.
 - Memo 9/22/14 fr Town Engineer re: IDR comments
 - Landscape Plan dated 8/22/14 revised 9/16/14 prepared by Lorayne Black; prepared for Don Ltr MacLaren and Wamesit Lanes Proposed Plants(received 9/22/14.
 - Ltr 9/22/14 fr Cuoco & Cormier re: revised waiver requests.
 - Synlawn photo received 9/22/14.
 - Drainage Alternative Plan, prepared by Cuoco & Cormier; dated 9/16/14
- H. 8:00** Zoning Amendment Public Hearing for October 7, 2014 Special
Town Meeting
- Article re: Flood Plain Map.
 - Article re: Amend ZBL and Zoning Map – Livingston Street lots to CVOD.
 - Copy of proposed plan for Livingston Village designed by Gavin & Sullivan Architects.
- I.** 25 Highland Drive (aka 464-468 Woburn Street)
DiStefano Realty Trust
- Copy of letter 9/5/14 fr Building Commissioner to Attorney Zaroulis.
- J.** Wamesit Indian Park RFP
- Copy of Request For Bids – Wamesit Indian Park Upgrade.